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*Attorneys for Plaintiff Jeffrey Shuminer.*

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

JEFFREY SHUMINER,	)	
	)	
Plaintiff,	)	Case No. 2:18-cv-02156-JAD-GWF
	)	
v.	)	<b>STIPULATION AND ORDER</b>
	)	<b>REGARDING TIME TO RESPOND TO</b>
OLCC NEVADA REALTY, a Nevada	)	<b>DEFENDANT'S MOTION TO DISMISS,</b>
Limited Liability Company, and DOES 1	)	<b>OR IN THE ALTERNATIVE, MOTION</b>
through X.	)	<b>FOR SUMMARY JUDGMENT AND TO</b>
	)	<b>CONTINUE HEARING DATE</b>
Defendant	)	
	)	(First Request) ECF No. 17

Plaintiff Jeffrey Shuminer and Defendant OLCC Nevada Realty, by and through their respective counsel, hereby stipulate and agree as follows:

1. Plaintiff filed this action on November 9, 2018. Service of the Complaint and Summons was made on Defendant through its resident agent on November 15, 2018.

2. Defendant filed its Motion to Dismiss (ECF No. 11) on December 7, 2018, and Plaintiff's response is currently due on December 20, 2018, just before the long holiday season.

3. Therefore, counsel for the parties have meet and conferred and agreed that Plaintiff shall have up to and including January 22, 2019, to file his response to Defendant's Motion to Dismiss.

4. Counsel for the parties have further agreed that Defendant shall have up to and including February 11, 2019, to file its reply in support of its Motion to Dismiss.

5. The extensions to file the oppositions and reply briefs are being made in light of the holiday season and that the pending motion is a potentially case-dispositive motion for summary judgment, which requires careful analysis and possibly the submission of evidence.

6. Additionally, on December 12, 2018, this Court issued a minute order, entitled Notice Setting Hearing on Motion to Dismiss (EFC No. 14). The hearing was set for January 18, 2019, at 10:00 a.m.

7. In light of the facts that, (1) counsel have agreed to an extended briefing schedule that would have the hearing date before Plaintiff was required to file his opposition, (2) Plaintiff's lead counsel is unavailable on the January 18, 2019, date because of a previous schedule court date in Florida, and (3) the parties are currently scheduled for an early neutral evaluation (ECF NO. 13) on March 8, 2019, the parties have meet and agreed to seek a continuance of the January 18, 2019, hearing. Counsel seeks to have such hearing shortly after the early neutral evaluation on March 13, 2019 or March 15, 2019.

8. This is the first stipulation for an extension of time and is made in good faith and not for purposes of delay.

**IT IS SO STIPULATED AND AGREED.**

DATED: December 19, 2018

THE O'MARA LAW FIRM, P.C.

/s/ David C. O'Mara  
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*Attorneys for Plaintiff Jeffrey Shuminer*

DATED: December 19, 2018

GREENBERG TRAURIG, LLP

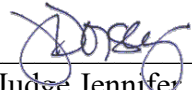
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*Counsel for Defendant OLCC Nevada Realty*

**ORDER**

Based on the parties' stipulation [17] and good cause appearing, IT IS HEREBY ORDERED that the deadline for plaintiff's response to the motion to dismiss [11] is extended to 1/22/19, and the deadline for defendant's reply brief is extended to 2/11/19. The 1/18/19 hearing in this matter is VACATED and CONTINUED to 4/8/19 at 2:30 p.m.

  
\_\_\_\_\_  
U.S. District Judge Jennifer A. Dorsey  
Dated: December 19, 2018